

Customer No.: 31561
Docket No.: 13838-US-PA
Application No.: 10/711,679

REMARKS

This is a full and timely response to the outstanding final Office Action mailed September 07, 2006. Applicant submits that claims 1, 4, and 6-13 have been amended hereby. Support to the changes of the claims can be found in the previously presented claims, disclosure and the drawings. Reconsideration and allowance of the application and presently pending claims 1-12 are respectfully requested.

Claim Rejections – 35 U.S.C. § 112

The Office Action rejected claims 1-13 under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter.

In response to the rejection to claims 1 under 35 U.S.C. 112, applicant has amended claim 1, and hereby otherwise traverse this rejection. As such, Applicant submits that claims 1-13 are now in condition for allowance.

With respect to claim 1, applicants submit that such a white LED device, as set forth in claim 1, is described in the specification (page 5, [0016]) and drawn in Fig. 2. Referring to Fig. 2, one electrode of each of the two diodes 11 and 12 are connected with an electrode frame 21 and the other electrode of each of the two diodes 11 and 12 are connected with the other electrode

Customer No.: 31561
Docket No.: 13838-US-PA
Application No.: 10/711,679

frame 22 through the leads 13 and 14. Therefore, applicant combines the features of the first electrode frame and a second electrode frame, as recited in claim 6, into claim 1. Therefore, the claim 1, as currently amended, has already distinctly claimed the subject matter and should be allowed.

Claim Rejections – 35 U.S.C. § 103

Claims 1-3, 6, 7 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Shimizu et al. (US 2002/0070681) in view of Isokawa et al. (US 6,084,252).

In response to the rejections to claims 1-3, 6, 7 under 35 U.S.C. 103 (a), the examiner recites that Isokawa et al. discloses that the first electrodes of the dies 3 and 5 are electrically connected to the first electrode frame 1 and the second electrodes 4 of dies are electrically connected to the second electrode frames 2 of LED.

However, applicant submits that, referring to the Fig. 1 and the specification (column 3, row 65-67) of Isokawa et al., the die 5, as recited by the examiner, is a Zener diode chip 5, which is a protective element for protection of the LED chip 3. Moreover, the specification (column 4, row 53-65) of Isokawa et al. discloses that Zener diode chip 5 is usually made of silicon semiconductor and the device utilizes a phenomenon that when a large backward voltage is applied to a pn junction in a semiconductor with a high impurity concentration, electrons flows

Customer No.: 31561
Docket No.: 13838-US-PA
Application No.: 10/711,679

through the pn junction by a tunnel effect. Therefore, with the first and second leads being connected by the LED chip 3 and the Zener diode chip 5 disposed in parallel with reverse directions to each other, the LED chip 3 has no obstacles in operation.

Based on the aforesaid description, the dic 5, as recited by the examiner, is neither a LED nor a light emitting device. In other words, the Zener diode chip 5 is merely a protective element for protection of the LED chip 3, which represents that the device structure of Isokawa et al. has only one LED and is apparently different from the device structure (has two LEDs) of Shimizu et al.. Therefore, it is concluded that the two references cannot be combined. The claim 1 of the present application is submitted to be unobvious over Shimizu et al. and Isokawa et al., and any of the other cited references, taken alone or in combination, and should be allowed.

In addition, applicant submits that claims 2-3, 6, 7 depend on allowable independent claim 1, thus should also be allowable.

Claims 4, 5, 8 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Shimizu et al. and Isokawa et al., and further in view of Suenaga (US 2004/0120155).

Applicant submits that claims 4, 5, 8 depend on allowable independent claim 1, thus should also be allowable.

Customer No.: 31561
Docket No.: 13838-US-PA
Application No.: 10/711,679

Claims 9-12 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Shimizu et al. and Isokawa et al., and further in view of Chang et al. (TW 546854).

Applicant submits that claims 9-12 depend on allowable independent claim 1, thus should also be allowable.

Claim 13 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Shimizu et al., Isokawa et al., Chang et al., and further in view of Wang et al. (US 2006/0028122).

Applicant submits that claim 13 depends on allowable independent claim 1, thus should also be allowable.

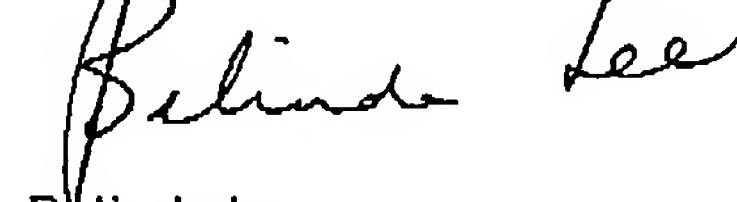
Customer No.: 31561
Docket No.: 13838-US-PA
Application No.: 10/711,679

CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-12 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

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